

EPA orders cleanup of the Kin-Buc Landfill

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By JIM O'NEILL

Eight firms and three individuals yesterday were ordered by the U.S. Environmental Protection Agency (EPA) to contain, remove and dispose of hazardous waste, included cancer-causing materials, from the Kin-Buc Landfill in Edison.

The 11 parties were warned in a unilateral EPA order that if they fail to comply, the EPA may begin the work under provisions of federal "superfund" hazardous cleanup regulations and assess them triple costs, estimated at between \$15 million and \$21 million.

Richard T. Dewling, deputy administrator for EPA Region 2, also said at a news conference in Edison that fines of \$5,000 for each of the 11 will be assessed each day they are in violation of the cleanup order.

The order places the 11 on a timetable in which to develop a plan to clean up the 19-acre tract, located near the Raritan River.

Dewling said an estimated 70 million gallons of wastes were dumped at the landfill between 1971 and 1976, when the state Department of Environmental Protection (DEP) rescinded Kin-Buc's operating permits.

He also said about 2,500 drums

containing hazardous wastes and inorganic chemicals—paint solvents, thinners and oil sludges—remain at the site.

Between 300 and 400 of those barrels contain oil products laden with polychlorinated biphenyls (PCBs), a group of chemicals that has been linked to a number of health problems, including cancer and birth defects.

Dewling said the wastes have been contained on the site since a \$1.5 million cover was secured over it.

But workers have continued since last year to remove an average of 100

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gallons of PCB-laden oil daily from the tract, Dewling said.

Those named in the order include Kin-Buc, owner-operator of the landfill; Scientific Inc., owner-hauler, and related individuals and companies including SCA Services Inc., a Boston-based hauler.

The order was issued, according to Dewling, because the firms have been unable to reach a long-term cleanup plan due to legal and business difficulties.

The EPA and the parties have "reached a stalemate" in cleanup negotiations, which had been conducted for the past 10 months, the deputy administrator added.

Charles McMullin, a Kin-Buc representative contacted at the agency's Scotch Plains office after the news conference, said the firm developed a cleanup plan last spring.

McMullin said the EPA has not responded to the \$2 million proposal, which includes installation of a clay wall to contain seepage from wastes, construction of a waste treatment facility at the site and a method for cleaning sludge from Edmond's Creek, a tributary of the Raritan River.

McMullin said he has not been given a copy of the order, but was aware of it and called it "inappropriate."

He noted the EPA filed suit in 1979 against Kin-Buc and the other parties seeking cleanup of the site and damages under the federal Clean Water Act.

"Why are they starting a separate action against the same landfill?... They have had the Clean Water action... and now they want to impose superfund (regulations)," McMullin said.

"Superfund is for those instances where they (EPA) do not have people (site owners) who are willing to put forth the solution at their risk and with their money," McMullin said, asserting Kin-Buc has already invested \$2.5 million in cleanup efforts.

Dewling said it is likely the 11 parties will comply with yesterday's order in view of the severe penalties that could be imposed.

Dewling said the order takes effect Oct. 7, and gives the 11 firms and individuals three days after that to notify EPA of their intent to comply.

The order requires them to:

- Continue collecting PCB-laden oil emanating from the landfill before it enters Edmond's Creek.
- Remove and dispose of all drummed material at the site within 60 days of the effective date of the order.
- Stop the discharge of aqueous material into the environment no later than 180 days after the order date.
- Complete a feasibility study on the cleanup within 90 days.
- Provide for operation and maintenance of the site for not less than 30 years after the cleanup is completed.

Dewling estimated that the operation and maintenance of the site could cost between \$300,000 and \$500,000 a year.

In addition to Kin-Buc, SCA and Scientific, those named in the order include Wastequid Inc., a hauling company owned by Scientific; Inmar Associates Inc., owner of a portion of the landfill; Filcrest Realty Inc., a Scientific subsidiary and partial owner of the landfill; Marvin H. Mahan, chairman of the board of Scientific, and Robert J. Meagher, president and treasurer of Scientific.

Also named were SCA Services of Passaic Inc., a hauler and SCA subsidiary; Earthline Co., a hauler owned by Wastequid and SCA Passaic, and Anthony Gaess, a principal operating officer of Earthline.

Should the parties fail to comply with the order, Dewling said, the EPA could immediately use superfund allocations to clean up the site, or it could seek to hold liable between 300 and 400 waste-generating firms.

Dewling refused to identify the firms, but said many are "Fortune 500" companies that manufacture chemical and other products that resulted in the wastes dumped at Kin-Buc.

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